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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/602,879 06/25/2003 Jun Koide 02975.000090. 2255 5514 7590 05/21/2004 **EXAMINER** FITZPATRICK CELLA HARPER & SCINTO SEVER, ANDREW T 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 ART UNIT PAPER NUMBER

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)	
Andrew T Sever 2851 Andrew T Sever 2851 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Extensions of time may be available under the sovietions of 37 CFR 1 13/6). In ordering, the state of the communication and several processions and several proce	Office Action Summary	10/602,879	KOIDE, JUN	
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1) Responsive to communication(s) filed on	A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication - If the period for reply specified above is less than thirty (30) days, and the period for reply specified above, the maximum statutory period for reply within the set or extended period for reply will, by standard period for reply will, by standard period for reply received by the Office later than three months after the manual process.	DN. R 1.136(a). In no event, however, may a r n. a reply within the statutory minimum of thin eriod will apply and will expire SIX (6) MON tatute cause the application to become AB	eply be timely filed y (30) days will be considered timely THS from the mailing date of this co	mmunication.
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Application/Control Number: 10/602,879

Art Unit: 2851

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-7, drawn to Image projector with multicolor picture and a specific electroluminescence element, classified in class 353, subclass 31.
 - II. Claims 8-18, drawn to image projector having lamp control using an electroluminescence element for its light source, classified in class 353, subclass 85.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions II and I are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because any electroluminescence light source including monochromatic single layered sources can be used. The subcombination has separate utility such as use as a color display or monitor.

Art Unit: 2851

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on 571-272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RUSSELL ADAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800